2.   The drawings have been objected to as not showing every
feature of the invention specified in the claims. In particular,
the Examiner asserts that "the matrix processor and call
processor must be shown". In response, a proposed corrected FIG.
1 is enclosed showing a matrix processor (MP) and a call
processor (CP).

3.   Claims 27-37 have been rejected under 35 U.S.C. §112,
second paragraph, as being indefinite. In particular, the
Examiner asserts that "The specification makes no specific
mention of a matrix processor nor is such shown in the drawings,
leaving the Examiner to guess as what applicant intends to
claim".

        However, the specification clearly and extensively
discusses (see, for example, page 10, line 11 to page 14, line
30) the target matrix and the processing of the target matrix by
the PC 11. A person of skill in the art would clearly understand
that the functions of the matrix processor may be accomplished
within the PC 11 or any other auxiliary processor.

4.   Claims 1-26 have been rejected under 35 U.S.C. §102(e)
as being anticipated by U.S. Patent No. 5,903,641 to Tonisson.
In particular, the Examiner asserts that "Tonisson teaches . . .
determining a target occupancy matrix including a target

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occupancy for each agent of the agents of the ACD for each call
type of the plurality of call types and processing a call of the
first type of the types determined in the target matrix (Col. 2
lines 15-27) . . . assigning the call to an agent of the gents of
the ACD with the largest relative difference between an actual
occupancy of calls of the first type handled by the agent and the
target occupancy of calls of the first type determined for the
agent in the target occupancy matrix (Col. 2, lines 27-57)". A
review of Tonisson, however, reveals very little support for the
Examiner's assertions.

For example, there is no such statement in Tonisson at
Col. 2, lines 27-57, which repeats or even parallels (in sum and
substance) the Examiner's assertion that "Tonisson teaches . . .
assigning the call to an agent of the gents of the ACD with the
largest relative difference between an actual occupancy of calls
of the first type handled by the agent and the target occupancy
of calls of the first type determined for the agent in the target
occupancy matrix". More to the point Tonisson clearly states
(col. 5, lines 47-48) that "To model the distribution of calls to
agents, individual calls are ignored". Since the impact of
individual calls on the modeling system is ignored, the
Examiner's assertion clearly flies in the face of the explicit
teachings of Tonisson. Moreover, the referenced section of
Tonisson (i.e., Col. 2, lines 27-57) specifically refers to
"calls", and not to any individual call.

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Further, under "Limitations of the Model" taught by Tonisson (col. 9, lines 29-42) "if there are two agents, Dana and Fox, with the same level of skill in 'Insurance Enquiries' and they are not needed for any other skills, then if the volume of calls in 'Insurance Enquiries' is not high, the same optimum performance can be achieved by allocating half of the calls to Dana and half of the calls to Fox or all of the calls to Dana and none of the calls to Fox. If there is a choice, the Simplex Algorithm is likely to allocate all of the calls to one of the agents and none of the calls to the other". In order for calls to be allocated in this manner, Tonisson could not possibly use a target occupancy matrix, that would fall within the meaning of how such term is used under the claimed invention. If the Examiner still fails to appreciate the significance of this difference, he is respectfully referred, inter alia, to the examples on pages 6 and 7 of the specification.
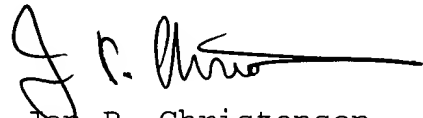
The claimed invention is drawn to "A method of assigning agents . . . comprising the steps of . . . determining a target occupancy matrix . . . processing a call of a first type . . . and assigning the call to an agent . . . with a largest relative difference between an actual occupancy of the first type". Since Tonisson does not do exactly the same thing in exactly the same way, the rejection is believed to be improper. Since the rejection is improper, it should be withdrawn.

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5.   For the foregoing reasons, allowance of claims 1-38 as

now presented, is believed to be in order and such action is

earnestly solicited. Should the Examiner be of the opinion that

a telephone conference would expedite prosecution of the subject

application, he is respectfully requested to telephone

applicant's undersigned attorney.

                              Respectfully submitted,

                              WELSH & KATZ, LTD.

                              By _____
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December 22, 1999
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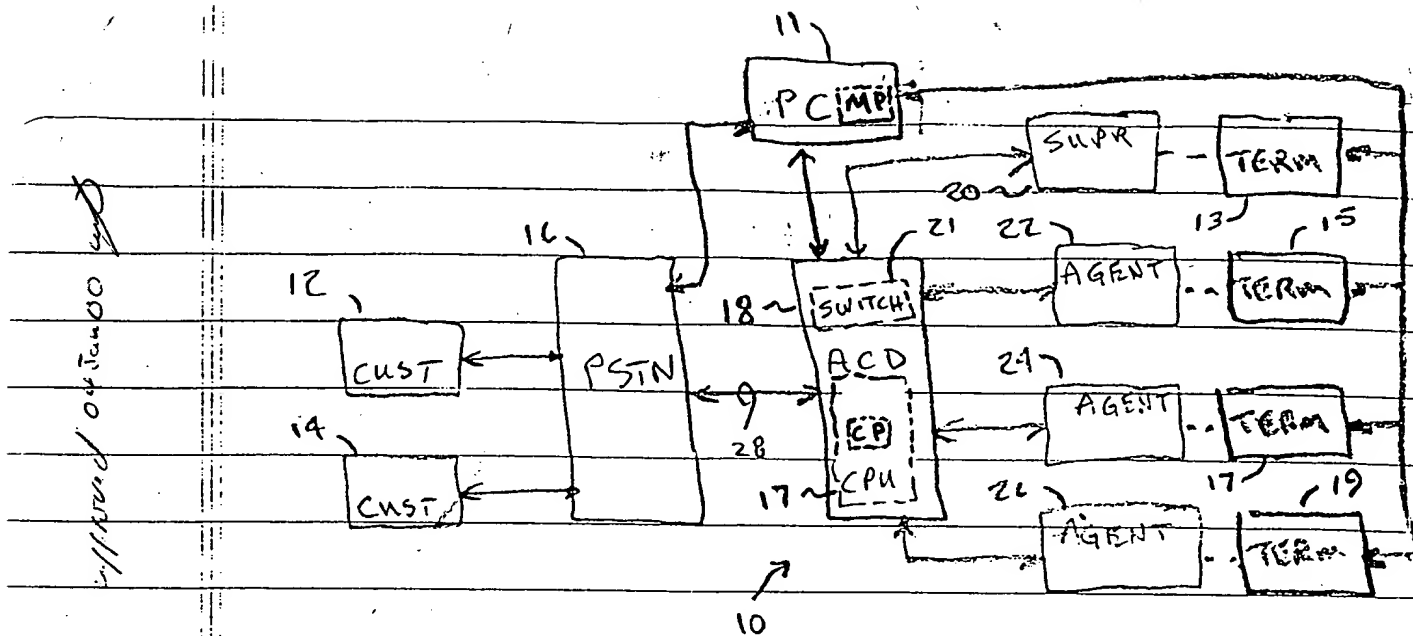Chicago, Illinois 60606
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FIG. 1